

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Section 68.4 of the Commission's Rules)	WT Docket No. 01-309
Governing Hearing Aid-Compatible)	
Telephones)	
)	
Iowa Wireless Services, LLC dba i wireless)	
Petition for waiver of Section 20.19(C)(2)(i))	
Of the Commission's rules)	

**Petition of Iowa Wireless Services, LLC dba i wireless and related licensees for
Waiver of Section 20.19(C)(2)(i) of the Commission's Rules**

Iowa Wireless Services, LLC and the related licensees listed in Attachment A hereafter referred to as "i wireless", requests a waiver of the requirement that i wireless include in its handset offering at least two handset models per air interface that meet a U3 or higher interference rating, until such time as hearing aid compatible (HAC) handsets that meet the Commission's standards are commercially available from the manufacturers.

i wireless is a local Personal Communications Services ("PCS") licensee providing service in Iowa and western Illinois. i wireless provides numerous services including switching and inventory purchasing for the wireless licensees listed in attachment A. Iowa Wireless Services, LLC and the companies listed in attachment A provide service as "i wireless". i wireless is owned by subsidiaries of Iowa Network Services, Inc. and T-Mobile USA, Inc.

i wireless utilizes GSM technology throughout its PCS network and operates exclusively in the 1900 MHz band. To provide our customers with the most expansive coverage possible, i wireless offers only dual-band 1900 MHz and 850 MHz handsets. Dual band handsets allow our customers to access the networks of our roaming partners that operate in the 850 MHz and 1900 MHz bands. i wireless is committed to providing HAC handsets to its hearing-impaired customers and has repeatedly asked our vendors when handsets that meet the Commission's HAC standards will be available.

DISCUSSION

The Commission's September 8, 2005 order accepting the 1900 MHz rating for dual band GSM digital wireless handsets provided a solution to the problem of HAC compliance with the 850 MHz band. The order did not address the problem of obtaining compliant handsets by the September 16, 2005 deadline. After repeated inquiries to our vendors, it is apparent i wireless will not be able to offer two hearing aid-compatible handsets by September 16, 2005.

Based upon information from our vendors, sometime in October is the earliest we will be able to obtain HAC compliant models¹. Motorola has not provided a date when they could provide our company with HAC compliant handsets². Based upon Motorola's notice to the Commission, it is not clear when Motorola will have commercially available handsets that operate in the

¹ Nokia model 6102 is HAC certified compliant. The Nokia 9300 has been submitted for certification and is expected to be approved as HAC compliant. Nokia representatives have stated that October 2005 is the earliest we will be able to obtain these models.

1900 MHz band that have been certified HAC compliant by a Telecommunications Certifications Body (TCB). The Motorola models expected to meet the HAC standards for GSM 1900 products did not achieve an M3 or better rating when tested.³

i wireless is aware of only two GSM 1900 products, the Blackberry 7230 and the Samsung x495H, that achieved TCB certification.⁴ The Blackberry 7230 is not compatible with the i wireless network and the Samsung x495H is not available to i wireless for purchase at this time⁵. Even when HAC compliant handsets may become available to Tier I carriers, they may not be available to Tier III carriers, like i wireless. In general Tier III carriers do not have the existing contractual relationships with as many equipment vendors as the larger Tier I carriers. If there is a limited number of HAC compliant handsets available, it is unlikely they will be made available to Tier III carriers at the same time as Tier I carriers. For this reason Tier III carriers may not be able to achieve compliance with the Commission's HAC rules until several months after Tier I carriers.

As stated in our semi-annual reports, i wireless relies upon our handset vendors to provide handsets that meet a U3 rating under the ANSI standard. As a Tier III wireless carrier, that neither manufactures handsets nor has any market power over the manufacturers of handsets, it is impossible for i wireless

² A Motorola representative informed our company that two products the RAZR V3 and V220 have been submitted for HAC certification.

³ See Motorola Notice of Ex Parte Statement, Wt Docket No. 01-309, August 31, 2005

⁴ See T-Mobile USA, Inc. Petition for Waiver, Wt Docket No 01-309, August 26, 2005, page 6

⁵ See T-Mobile USA, Inc Reply of T-Mobile USA, Inc. Wt Docket No 01-309, September 8, 2005, the Samsungx495H will not be available to T-Mobile until after the September 16 deadline.

to comply with the Commission's rules until HAC compliant handsets are available from our vendors.

CONCLUSION

i wireless is fully committed to offering our customers handsets that are compliant with the Commission's HAC rules. When compliant handsets are available, i wireless is prepared to distribute HAC compliant handsets to our retail stores and to train our retail customer representatives. If Nokia delivers two certified HAC compliant handsets in October as expected, i wireless anticipates that it should be able to report in its November 17, 2005 hearing aid compatibility report that it is in full compliance with the Commission's HAC rules.

The lack of available HAC compliant handsets makes it impossible for i wireless to comply with the Commission's rules by the required deadline of September 16, 2005. For this reason, i wireless requests the Commission grant i wireless a temporary waiver of Section 20.19(C)(2)(i) of the Commission's Rules until such time as HAC compliant handsets are commercially available to i wireless.

Respectfully submitted,

By: Steven T. Schuler
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September 15, 2005

Attachment A

Associated Licensees Operating as i wireless
Joining in the Petition for Waiver of
Section 20.19(C)(2)(i) of the Commission's Rules

Andrew Telephone Company
Barnes City Telephone Company
Benton Linn Wireless
Bernard Communications
Brooklyn Mutual Telecommunications Coop.
Casey Cable Co.
Cedar County PCS, LLC
Cedar-Wapsie Communications, Inc.
Central Iowa Wireless
Central Scott Telephone Co.
Center Junction Telephone Co.
Clear Lake Independent Telephone Co.
Cooperative Telephone Company
Corn Belt Telephone Co.
D. C. Communications
Dumont Wireless
FWC Communications
Kalona Cooperative Telephone Co.
MAC Wireless
Mill Valley Wireless
Modern Cooperative Telephone
Montezuma Mutual Telephone Company
Northeast Iowa Telephone Company
Olin Telephone Co.
OmniTel Communications
Onslow Cooperative Telephone Association
Ogden Telephone Company
Radcliffe Telephone Co.
Rockwell Cooperative Telephone Assn.
Rolling Hills Communications
SEI Wireless
Sharon Telephone Company
Southeast Wireless
Ventura Telephone Co.
Wapsi Wireless, LLC
Wellman Telephone Cooperative Association
Winnebago Cooperative Telephone Association